



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Chris Christie
Governor
Kim Guadagno
Lt. Governor

Robert M. Czech
Chair/Chief Executive Officer

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
SEPTEMBER 6, 2017**

**Robert M. Czech, Chairperson
Dolores Gorczyca
Daniel W. O'Mullan**

September 6, 2017

A regular meeting of the Civil Service Commission was held on Wednesday, September 6, 2017, in Trenton, New Jersey.

PRESENT: Robert M. Czech, Chairperson, Members Dolores Gorczyca (via telephone) and Daniel W. O'Mullan; Pamela Ullman, Deputy Attorney General; Christopher Myers, Director, Division of Appeals and Regulatory Affairs.

In accordance with L.1975, c.231, the Secretary to the Civil Service Commission opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on November 28, 2016, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

WITHDRAWAL OF APPEALS

The following appeal was withdrawn and removed from the hearing calendar:

Rahman Hucker, Human Services Specialist 3, Ocean County Board of Social Services, demotion to Human Services Specialist 2.

ACTION: The Civil Service Commission noted the withdrawal of appeal without prejudice.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Edward Gruber
City of Newark
Department of Engineering
Removal

Robert Murie
Atlantic County
Department of Public Safety
Suspension

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Atlantic County
Department of Public Safety
Suspension

Geraldine Taylor
County of Essex
Department of Health and Rehabilitation
Removal

Jonathan Warren
New Jersey State Prison
Department of Corrections
Suspension

RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN THE ABOVE CASES – SETTLEMENT

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 DEAN EDWARDS

Dean Edwards, Tree Maintenance Supervisor, City of Passaic, Department of Public Works, removal on charges of incompetency, inefficiency or failure to perform duties, insubordination, conduct unbecoming a public employee, neglect of duty, misuse of public property; including automobiles, and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-3 WAYNE HANNS

Wayne Hanns, Police Officer, City of Linden, Police Department, release at the end of the working test period.

Recommendation of the Administrative Law Judge –Permit the appellant to complete the working test period.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-4 SARA LLOYD

Sara Lloyd, Senior Laundry Worker, Woodbine Developmental Center, Department of Human Services, removal on charges of conduct unbecoming a public employee, and other sufficient cause.

Recommendation of the Administrative Law Judge - Uphold the removal.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-5 WILLIAM PIERCE

William Pierce, Police Sergeant, City of Hackensack Police Department, return to prior title of Police Officer at the end of working test period.

Recommendation of the Administrative Law Judge –Grant a new working test period.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-6 CLAUDIO TUNDO

Claudio Tundo, Laborer 1, Borough of Ringwood, Department of Public Works, a seven and 15 working day suspensions, and removal effective February 26, 2016, on charges of insubordination, inability to perform duties, chronic or excessive absenteeism or lateness, conduct unbecoming a public employee, neglect of duty, abuse of sick time and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a three-month suspension.

ACTION: The Civil Service Commission noted the withdrawal of the appeals of the suspensions and rejected the recommendation of the Administrative Law Judge and upheld the removal.

A-7 DARRICK VALENTINE

Darrick Valentine, Senior Medical Security Officer, Ann Klein Forensic Center, Department of Human Services, removal effective May 27, 2015 on charges of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-8 PETER ZAMPELLA

Peter Zampella, Senior Maintenance Repairer, Hudson County, Department of Roads and Public Property, 90 working day suspension on charges of conduct unbecoming a public employee, neglect of duty, and chronic and excessive lateness.

Recommendation of the Administrative Law Judge – Uphold the suspension.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

SECTION B – MISCELLANEOUS MATTERS

B-1 K.B. – CSC DOCKET NO. 2016-3707

K.B., represented by Gerald D. Miller, Esq., appeals his rejection as a Police Officer candidate by Jersey City and its request to remove his name from the eligible list for Police Officer (S9999R) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-2 L.K. – CSC DOCKET NO. 2017-1343

L.K. appeals his rejection as a Police Officer candidate by the Trenton Police Department and its request to remove his name from the eligible list for Police Officer (S9999R) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-3 JEAN SAIMPRIS SILVA – CSC DOCKET NO. 2017-3531

Jean Saimpris Silva appeals his removal from the eligible list for Human Services Assistant (Special) for failing to respond to the certification notices.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-4 NYANATE SENYON – CSC DOCKET NO. 2017-2445

Nyanate Senyon appeals the removal of his name from the eligible list for Correction Officer Recruit (S9988T), Department of Corrections, on the basis of his failure to complete preemployment processing.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-5 LAQUAN SHAMBERGER – CSC DOCKET NO. 2018-207

LaQuan Shamberger, represented by Bette R. Grayson, Esq., requests reconsideration of the decision rendered on June 21, 2017 which upheld the removal of his name from the eligible list for Fire Fighter (M2554M), Newark, on the basis of falsification of his employment application and failure to meet the residency requirement.

ACTION: The Civil Service Commission directed that this request be denied.

B-6 BRIAN J. BONOMO – CSC DOCKET NO. 2016-4298

Brian J. Bonomo, represented by David J. Beckett, Esq., appeals the bypass of his name on the Principal Investigator, Parole and Secured Faculties (PS0522I), Department of Corrections, eligible list.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-7 LEWIS COUTTS – CSC DOCKET NO. 2017-1636

Lewis Coutts appeals the bypass of his name on the Environmental Engineer 4 (PS1866G), Department of Environmental Protection eligible list.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-8 HANNAH DORMAN – CSC DOCKET NO. 2017-3246

Hannah Dorman appeals the decision of the Division of Agency Services which found that her position with the Department of the Treasury was properly classified as Auditor 3, Taxation. The appellant seeks an Auditor 2, Taxation job classification.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-9 CARNEATIA BAILEY – CSC DOCKET NO. 2017-3335

Carneatia Bailey appeals the decision of the Division of Agency Services which found that she did not meet the experience requirements for the promotional examination for Social Work Supervisor (PC0095V), Atlantic County.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-10 TINETTE CARTER – CSC DOCKET NO. 2017-3637

Tinette Carter appeals the determination of the Division of Agency Services that she was below the minimum requirements in experience for the promotional examination for Administrative Analyst 2 Procurement (S0953U), Statewide.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-11 AMANDA FOSTER – CSC DOCKET NO. 2017-3500

Amanda Foster appeals the determination of the Division of Agency Services which found that she did not meet the minimum experience requirements for the open-competitive examination for Animal Keeper (C0012V), Cape May County.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-12 BRIAN HARRIS – CSC DOCKET NO. 2017-3326

Brian Harris appeals the decision of the Division of Agency Services which found that he did not meet the education and experience requirements for the open-competitive examination for Coordinator Community Health Services (C0884U), Bergen County.

ACTION: The Civil Service Commission directed that this appeal be denied and the matter of the proper classification of the appellant's position be referred to the Division of Agency Services.

B-13 PAMELA MAJOR – CSC DOCKET NO. 2017-3452

Pamela Major appeals the decision of the Division of Agency Services which found that she did not meet the experience requirements for the open-competitive examination for Program Development Specialist Youth Services (C0051V), Monmouth County.

ACTION: The Civil Service Commission directed that this appeal be denied and the matter of the proper classification of the appellant's position be referred to the Division of Agency Services.

B-14 ANDREA MALDONADO – CSC DOCKET NO. 2017-3580

Andrea Maldonado appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the open competitive examination for Food Service Supervisor 2-10 Months (S0916U), Statewide.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-15 JAMES WINFIELD – CSC DOCKET NO. 2017-3587

James Winfield appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Assistant Supervisor Regional Food Service Operation (PS3882P), Juvenile Justice Commission.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-16 FADETTE MCDANIELS – CSC DOCKET NO. 2017-2701

Fadette McDaniels requests to file an application after the announced closing date for the promotional examination for Senior Human Services Technician (PS3106E), Department of Military and Veterans Affairs.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-17 TAMMY PERILLI – CSC DOCKET NO. 2018-425

Tammy Perilli petitions the Civil Service Commission to accept her untimely application for the promotional examination for Records Technician 3 Motor Vehicles (PS4527T), Motor Vehicle Commission.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-18 TERRENCE COVERT – CSC DOCKET NO. 2017-3626

Terrence Covert appeals his score on the oral portion of the promotional examination for Police Captain (PM1317U), Brick.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-19 PATRICK KIERNAN – CSC DOCKET NO. 2017-3636

Patrick Kiernan appeals his score on the oral portion of the promotional examination for Police Captain (PM1366U), Sayreville.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-20 DAVID MULLER – CSC DOCKET NO. 2017-3631

David Muller appeals his score on the oral portion of the promotional examination for Police Captain (PM1328U), Ewing.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-21 JOHN OLIVIERI – CSC DOCKET NO. 2018-161

John Olivieri appeals his score on the examination for Deputy Fire Chief (PM3073U), Belleville.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-22 TAJAH SELDON – CSC DOCKET NO. 2017-3064

Tajah Seldon appeals the administration of the physical performance portion of the examination for Fire Fighter (M1556T), Newark.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-23 JOSE A. ROBLES – CSC DOCKET NO. 2017-3779

Jose Robles, a Fire Captain with the City of Newark, petitions the Civil Service Commission for interim relief of his indefinite suspension, commencing on April 6, 2016, pending disposition of criminal charges.

ACTION: The Civil Service Commission directed that this request be granted.

B-24 WYATT KRAFT – CSC DOCKET NO. 2017-2722

Wyatt Kraft, a Weights and Measures Apprentice, Hudson County Sheriff's Office, represented by William Hannan, Esq., requests resolution of a dispute concerning his back pay, seniority, benefits and interest.

ACTION: The Civil Service Commission directed that this request be granted in part.

B-25 B.R. – CSC DOCKET NO. 2016-4243

B.R., a Program Coordinator, Mental Health with the Department of Human Services, appeals the determination of the Assistant Commissioner, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-26 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of August 16, 2017.

ACTION: The Civil Service Commission adopted the minutes of its meeting on August 16, 2017.

B-27 SHELLY BOSTON – CSC DOCKET NO. 2017-1815

Shelly Boston, a former Cottage Training Technician with Hunterdon Developmental Center, Department of Human Services, requests to reinstate the appeal of her removal effective December 2, 2016, which was dismissed on the basis of failure to appear at the February 16, 2016 settlement conference at the Office of Administrative Law.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-28 LUIS CRUZ – CSC DOCKET NO. 2018-140

Luis Cruz appeals his score on the examination for Deputy Fire Chief (PM3076U), Paterson.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-29 JOSEPH BARBER – CSC DOCKET NO. 2017-3815

Joseph Barber appeals the determination of the Division of Agency Services that he was below the minimum requirements in experience for the promotional examination for Project Manager Data Processing (PS4355H), Department of Health.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-30 MARYELLEN MIGNANO – CSC DOCKET NO. 2018-30

Maryellen Mignano appeals the decision of the Division of Agency Services which found that her position with the Department of the Treasury was properly classified as Auditor 3, Taxation. The appellant seeks an Auditor 2, Taxation job classification.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-31 NANCY HALL – CSC DOCKET NO. 2017-3030

Nancy Hall appeals the decision of the Division of Agency Services that found that she did not meet the experience requirements for the open-competitive examination for Buyer (C0816U), Hunterdon County.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-32 HEATHER BENSEL, *ET AL.* – CSC DOCKET NOS. 2018-103 *ET AL.*

Heather Bensel, Wilma Cottman, Joy Evangelista, Joan Kennedy-Simmons, Rita Layton, Kendell McClinton, Zoraida Melendez, Arelis Ramos, and Stacey Sadler appeal the determinations of the Division of Agency Services, which found that they did not meet the minimum experience requirements for the promotional examination for Medical Services Assistant (PS2455K), Ancora Psychiatric Hospital.

ACTION: The Civil Service Commission directed that these appeals be denied.

B-33 S.F. – CSC DOCKET NO. 2017-3823

S.F., a Pension Benefits Specialist 3 with the Department of the Treasury, appeals the decision of the Director, Division of Administration, which did not substantiate her allegation to support a finding that she had been subject to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-34 KRISTIN GROENHOFF – CSC DOCKET NO. 2018-177

Kristin Groenhoff appeals the decision of the Division of Agency Services that found that she did not meet the experience requirements for the promotional examination for Medical Social Work Consultant 1 (PS2610K), Department of Human Services.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-35 CHRISTINA HEREDIA – CSC DOCKET NO. 2018-1774

Christina Heredia requests a make-up examination for Administrative Analyst 3 (PS3957F), Department of Education.

ACTION: The Civil Service Commission directed that this request be granted.

B-36 MARION WILSON – CSC DOCKET NO. 2017-3166

The appeal of Marion Wilson, a County Correction Officer with Camden County, of her removal, on charges, was heard by Administrative Law Judge Dean J. Buono (ALJ), who rendered his initial decision on June 21, 2017. At its meeting on August 16, 2017, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to uphold the removal. Rather, the Commission modified the removal to a six-month suspension. The proposed final decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the final decision.

VOTE: **Robert M. Czech** **(No)**
 Dolores Gorczyca **(Yes)**
 Daniel W. O'Mullan **(Yes)**

B-37 R.T. – CSC DOCKET NO. 2016-4276

R.T., a former Senior Investigator, Parole and Secured Facilities, with the Department of Corrections, appeals the determination of the Director, Governor's Office of Employee Relations, which found that the appellant failed to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-38 IVETTE ARCE – CSC DOCKET NO. 2018-487

The Department of Corrections, represented by Rimma Razhba, DAG, requests interlocutory review of the August 15, 2017 written order of Administrative Law Judge Jeffrey R. Wilson in *Ivette Arce v. Department of Corrections*, CSC Docket No. 2017-3464, OAL Docket No. CSR 06166-17, pursuant to *N.J.A.C. 1:1-14.10(a)*.

ACTION: The Civil Service Commission directed that this request be granted.

B-39 GLENN BARAN, *ET AL.* – CSC DOCKET NOS. 2018-269, *ET AL.*

Glenn Baran, Brian Beke, Karin Flynn, George Mieczkowski, and Deborah Vannatten appeal the determinations of the Division of Agency Services, which found that they did not meet the experience requirements per the substitution clause for education for the promotional examination for Coordinator MVC (PS4377T), Motor Vehicle Commission.

ACTION: The Civil Service Commission directed that these appeals be denied.

B-40 ANDREW RICCIARDI – CSC DOCKET NO. 2018-139

Andrew Ricciardi appeals his score on the examination for Deputy Fire Chief (PM3076U), Paterson.

ACTION: The Civil Service Commission directed that this appeal be denied.

PUBLIC PORTION

B.R. asked questions regarding Item B-25 – B.R.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, September 20, 2017, at 1:00 p.m., at 3 Station Plaza, Trenton, New Jersey.

Robert M. Czech
Chairperson
Civil Service Commission